

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

IN RE:)	CASE NO. 8:03CV437
)	MDL NO. 1597
)	
UNION PACIFIC RAILROAD)	ORDER
EMPLOYMENT PRACTICES)	
LITIGATION)	

This matter is before the Court on three motions seeking partial summary judgment and on the parties' request for an extension of time to file a bill of costs, an attorneys' fees application, and responses. The stipulated extension of time and revised deadlines are approved. The three motions seeking partial summary judgment are moot given the order dismissing the First Amended Complaint in *Jackie Fitzgerald, Plaintiff v. Board of Trustees of Union Pacific Employees Health Service ("UPREHS") and Union Pacific Railroad Company, Defendants*, Case No. 8:04CV188 (Filing No. 103), one of these consolidated cases. Accordingly,

IT IS ORDERED:

1. The following motions are denied as moot:
 - a. Motion for Summary Judgment filed by UPREHS (Filing No. 221);
 - b. Motion for Partial Summary Judgment filed by Jackie Fitzgerald (Filing No. 226);
 - c. Motion for Summary Judgment filed by Union Pacific Railroad Company (Filing No. 228);

2. The parties are directed to consult Fed. R. Civ. P. 54 and NECivR 54.1, 54.3 and 54.4 in the preparation of the Bill of Costs, Application for Attorneys' Fees, and responses thereto; and
3. The Joint Stipulation to Extend Time for Plaintiffs' Fee and Expense Application (Filing No. 245) is approved, and the revised deadlines are as follows:
 - a. Plaintiffs' bill of costs, application for attorneys' fees, and supporting brief(s) shall be filed on or before November 11, 2005;
 - b. Defendants' responsive brief(s) shall be filed on or before December 9, 2005; and
 - c. Plaintiffs' Reply brief(s) shall be filed on or before December 23, 2005.

DATED this 2nd day of November, 2005.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge